

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

VOIP-PAL.COM, INC.,

Plaintiff,

v.

APPLE, INC.,

Defendant.

Case No.18-cv-06216-LHK (VKD)

**DISCLOSURE ORDER**

This matter has been assigned to the undersigned Magistrate Judge for all further discovery proceedings. Although Amazon.com is not a party to this proceeding, this matter having been related to Case No. 5:18-cv-07020-LHK *Voip-Pal.com, Inc. v. Amazon.com, Inc., et al.* (“Amazon Action”), and in the interest of full disclosure, the parties are advised of the following:

Before being appointed as a Magistrate Judge of this district in June 2018, the undersigned was a partner at Fenwick & West LLP. While a partner at Fenwick, the undersigned performed a modest amount of patent litigation work for Amazon.com, the most recent of which ended in April 2012.

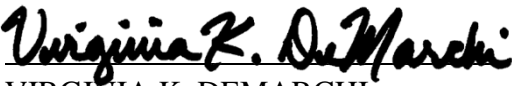
The undersigned has not represented Amazon.com in the Amazon Action and does not have knowledge of any of the disputed facts. However, Amazon.com was, and may still be, a client of Fenwick. The undersigned is not aware that any Fenwick lawyer is or was involved in representing Amazon.com in the Amazon Action, or that any Fenwick lawyer is likely to be a material witness in that matter.

The Magistrate Judge does not believe these circumstances require her disqualification from this matter under Canon 3(C)(1) of the Code of Conduct for United States Judges or 28

1 U.S.C. § 455. However, the Magistrate Judge wishes to provide the parties an opportunity to state  
2 their positions otherwise and have the matter considered. Accordingly, each party is directed to  
3 file a response to this order stating whether or not it objects to the Magistrate Judge's acting in this  
4 matter, and the grounds for any such objection, including (as applicable) an affidavit conforming  
5 to the requirements of 28 U.S.C. § 144, on or before **December 14, 2018**.

6 **IT IS SO ORDERED.**

7 Dated: December 3, 2018

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10 VIRGINIA K. DEMARCHI  
11 United States Magistrate Judge  
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